



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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December 4, 2017

The Honorable David Palmer
Chief Executive, Butte-Silver Bow
155 W. Granite St., Room 106
102
Butte, Montana 59701

Butte-Silver Bow Council of
Commissioners
155 W. Granite St., Room
Butte, Montana 59701

**RE: Butte-Silver Bow Request for EPA Response to Public Questions Regarding the
Status of the West Side Soils Operable Unit of the Silver Bow Creek/Butte Area
Superfund Site**

Dear Chief Executive Palmer and Council of Commissioners:

This correspondence is in response to Commissioner Jim Fisher's October 12, 2017 communication to Butte Silver Bow's (BSB's) Chief Executive Mr. Dave Palmer requesting the United States Environmental Protection Agency's (EPA's) appearance before the Council, and to BSB Superfund Coordinator Jon Sesso's email on October 24, 2017. Since receiving these requests, EPA has been actively gathering archived information regarding the prioritization decisions within the Silver Bow Creek/Butte Area (SBC/BA) Superfund Site in order to respond to the Council and recent public questions regarding the status of the West Side Soils Operable Unit (WSSOU).

The SBC/BA Superfund Site was amended in 1987 to add the "Butte Area" to the original Silver Bow Creek Superfund Site designated in 1983. Four remedial operable units (OUs) for the Butte Area portion were formed at that time: the Butte Priority Soils Operable Unit (BPSOU), the Butte Mine Flooding OU, the Active Mining Area OU, and the Non-Priority Soils OU.

EPA conducted the Butte Soils Screening Study in 1987 to assist with decisions regarding prioritization for further investigations and cleanup within the Butte Portion of the SBC/BA site. Data from this study helped established areas of high priority (i.e., the BSPOU and Butte Mine Flooding OU) and lower priority (i.e., the Non-Priority and Active Mining OUs¹). Based on the data obtained, the Butte Flats and non-urbanized areas outside of Butte proper were sequenced as a lower priority due to the lower potential for adverse human health exposure from metals and arsenic from historic mining sources. Given the proximity of mine waste materials with elevated levels of metals and arsenic within and around certain populated areas in Butte, EPA

¹ The Active Area OU corresponds with the area covered under the State of Montana's mining permit for the Montana Resource mining operation. EPA formally deferred further Superfund action for this area because of the State's permit and its requirements for closure and reclamation of the active area after mining operations cease.

purposefully created the BPSOU site boundary currently being used and dedicated its resources to investigating and cleaning up the BPSOU through the 1990s and 2000s.

While it is true that WSSOU (formerly the Non-Priority Soils OU) has not been subjected to the full Superfund process, both historic and more recent soil data (including data from BSB) indicate that an overall low potential for adverse human health risks exists in areas outside of BPSOU and the Mine Flooding OU. Using the lead action levels developed for the BPSOU, soil results west of the BPSOU exceeding 2,300 mg/kg lead (the recreational action level for lead) are present in multiple waste piles, but these piles are away from populated areas. Data from BSB taken at several residences adjacent to the BPSOU (to the west and north) were below the BPSOU residential action level for lead (1,200 mg/kg). Lead data from the Butte Flats (i.e., area that is located generally southeast of the BPSOU boundary), with the exception of one historic sample of apparent fill material at the now-demolished Longfellow School, were also below the residential action level for lead.

Elevated arsenic results in soil usually have a correspondingly high lead result, so there are few exceedances of the arsenic action levels (i.e., 250, 500, and 1,000 mg/kg arsenic for residential, commercial, and recreational land use, respectively) without a corresponding lead exceedance. One known exception is a residence sampled in 2017 by BSB in the Hillcrest Drive area which had subsurface sample results that exceeded the residential arsenic soil action level of 250 mg/kg. It was noted by BSB that these subsurface samples appeared to be of possible import slag fill material. Another exception is a residence, just northwest of the BPSOU boundary, that looks to be built on imported fill which also had elevated arsenic.

Although the preponderance of the existing soil data do not indicate a widespread human health risk outside of the BPSOU other than the mine waste dumps, this does not mean that EPA intends no further action for the WSSOU. Further assessment of the environmental soil conditions outside of the BPSOU is warranted and will be conducted. The West Side Soils Operable Unit is scheduled for a Remedial Investigation and Feasibility Study to begin in June of 2018.

For some time, now, BSB has been implementing the Multi-Pathway Residential Metals Abatement Program (RMAP) to eliminate or mitigate potential harmful exposure from metals and arsenic to residents in the BPSOU. Additionally, the RMAP has also collected soil samples from residences outside of the BPSOU known at the “Adjacent Area” and the attic abatement portion of the RMAP now encompasses large areas to the west and south of the BPSOU, known as the “Expanded Area”. EPA believes the RMAP program is effective in responding to the risks posed to residents with residential yard soil, interior living space dust, attic dust, and lead-based paint within the BPSOU and Adjacent Area, and attic dust in the Expanded Area. Further discussions are currently being conducted to possibly expand and implement the RMAP in its entirety similar to the expansion of the adduct dust sampling and abatement protocols.

EPA is committed to a cleanup at the SBC/BA that reduces human health and environmental risks to an acceptable level and agrees that the Superfund process needs to move forward in a timely fashion for the WSSOU. EPA is willing to appear before the Council to present the data

described in this letter and discuss other questions the Council may have. In consultation with the Council, all other stakeholders, and public input, EPA will move forward on the RI/FS evaluation the WSSOU. EPA will also continue to look at the possible expansion of the RMAP program in certain areas near the BPSOU.

Please let me know at your earliest convenience when you are interested in having EPA present information at a BSB Council of Commissioners meeting. EPA representatives can be available for your December 13, 2017 meeting if that will work for your schedule. I look forward to the opportunity to respond to questions and concerns regarding the Superfund cleanup in Butte.

Sincerely,

Joseph Vranka
Superfund Branch Chief

cc: (electronic copy only)